



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Division (1145)
CEPOA-RD-S-K
805 Frontage Road, Suite 200C
Kenai, Alaska 99611-7755

PUBLIC NOTICE DATE:	March 16, 2007
EXPIRATION DATE:	April 16, 2007
REFERENCE NUMBER:	POA-2002-994-1
WATERWAY:	Kachemak Bay

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Department of Homeland Security, United States Coast Guard
Attn: Mr. Michael Dombkowski, Post Office Box 21747, Juneau, Alaska 99802-1747

LOCATION: The proposed project is located within Section 1, T7S, R13W, Seward Meridian, Latitude 59.6034° N., Longitude 151.4154° W. in Homer, Alaska; Kenai Peninsula Parcel No. 181-07-001.

PURPOSE: The project purpose is the installation of a dolphin pile structure approximately 50 feet from the front face of the City of Homer's Pioneer Dock to allow a safe mooring area for the buoytender USCGC HICKORY.

WORK: The structure would be installed in 60' deep water and would have concrete-filled steel pipe piles connected to an existing dock by a catwalk. A floating mooring bollard would be integrated into the dolphin structure.

Location of the proposed dolphin pile structure can be found on sheet 2 of 2, dated March 1, 2007.

ADDITIONAL INFORMATION: The mooring berth for the buoytender USCGC HICKORY is placed too close to shore. As a result, the Coast Guard has spent approximately \$1,240,000 dollars to dredge its Homer mooring facility from 2002 through the end of 2006 and is expecting to spend an additional \$225,000 in Fiscal Year 2007.

Despite repeated dredging during each year, it has been extremely difficult to maintain water depth adequate enough to allow the buoytender to moor closer to shore during times of high winds and waves. This is because the mooring berth fills in quickly by accretion of local marine sediments, which in turn forces the cutter to moor further and further astern of the dock face.

The proposed dolphin pile structure will allow the buoytender to safely moor under all anticipated combinations of wind, wave, and tide, while allowing less dredging during the year. This change is expected to save the Coast Guard at least \$150,000 dollars annually in dredging costs.

MITIGATION: As a result of preapplication coordination, the applicant has incorporated into the proposed project the following mitigation effort to reduce impacts to navigation:

A combination of structure fendering and lighting is proposed to mitigate potential impacts to existing/future users of the Small Boat Harbor and the Pioneer Dock.

WATER QUALITY CERTIFICATION: A DA permit for the described work will **not** require the issuing of a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: The project area is within the known or historic range of the Steller's eider.

Preliminarily, the described activity will not affect threatened or endangered species, or modify their designated critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

SPECIAL AREA DESIGNATION: This project is located within the Kachemak Bay Critical Habitat Area.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Forrest E. McDaniel at (907) 283-3519, or by email at forrest.e.mcdaniel@poa02.usace.army.mil if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:
(X) Perform work in or affecting navigable waters of the United States - Section 10
Rivers and Harbors Act 1899 (33 U.S.C. 403).

A plan, Notice of Application for Certification of Consistency with the Alaska
Coastal Management Program is attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments

SARAH PALIN, GOVERNOR

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT AND PERMITTING

OFFICE OF PROJECT MANAGEMENT AND PERMITTING
550 WEST 7TH AVENUE, SUITE 705
ANCHORAGE, ALASKA 99501-3559
PHONE: (907) 269-7470/FAX: (907) 269-3981

**NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. POA-2002-994-1, Kachemak Bay, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

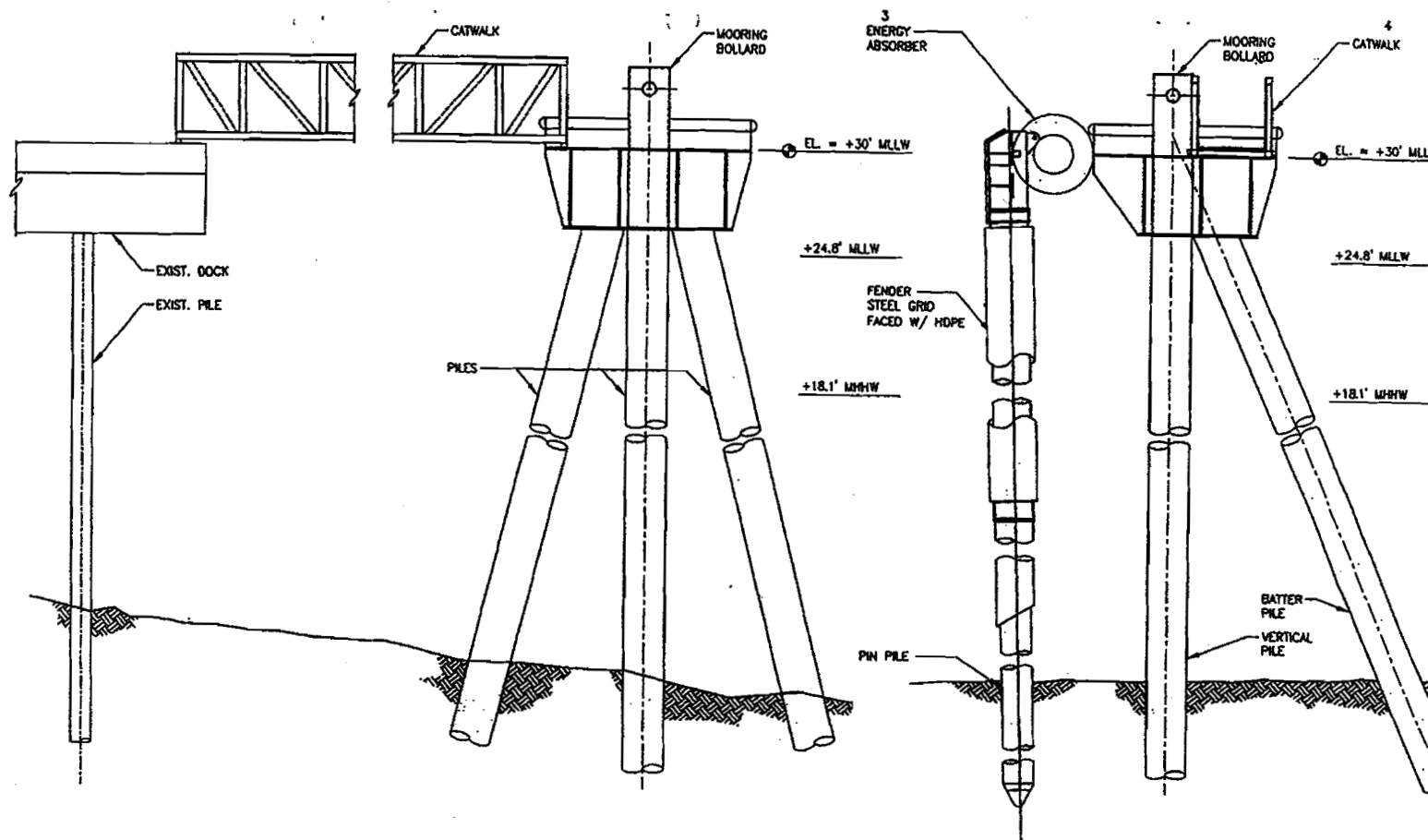
The Office of Project Management and Permitting requests your comments, particularly on the proposed project's consistency with the affected local coastal district management program. For more information on the consistency review contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the ACMP web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.

Attachment 1

Proposed Dolphin Pile Structure


Located approximately 50 feet from the front face of the City of Homer's Pioneer Dock

DETAIL
LONG TERM ALTERNATIVE A



A DETAIL
LONG TERM ALTERNATIVE A

B DETAIL
LONG TERM ALTERNATIVE A

U. S. COAST GUARD CIVIL ENGINEERING UNIT JUNEAU		
		
USCG. CEU JUNEAU 709 WEST 9TH STREET, ROOM 817 JUNEAU, ALASKA 99801		
ISSUE		
REV.1	1/28/05	SURVEY
MARK	DATE	DESCRIPTION
A/E PROJECT NO: 042087.01		
CAD FILE NAME: S-3662-S2-LONG TERM-ALT B.dwg		
DESIGNED BY: CMG		
DRAWN BY: LRG		
EDITED BY: LRG		
CHECKED BY: CMG		
SCALE: AS INDICATED PLOT SCALE: 1:1		
SHEET TITLE		
HOMER WLB STUDY USCGC HICKORY		
HOMER	ALASKA	
MOORINGS CIVIL LONG TERM ALTERNATIVE A		
REVIEWED BY: AS	REVIEWED BY: RCD	REVIEWED BY: JSC
PROJECT ENG. BRANCH CHIEF		TECH. DIRECTOR
KARL H. CALVO, CAPT. APPROVING OFFICER		DATE
PROJECT NUMBER 17-J04035		DRAWING NUMBER S-3662
DISCIPLINE/SHT NO S2		SHEET OF -

POA-2002-944-1

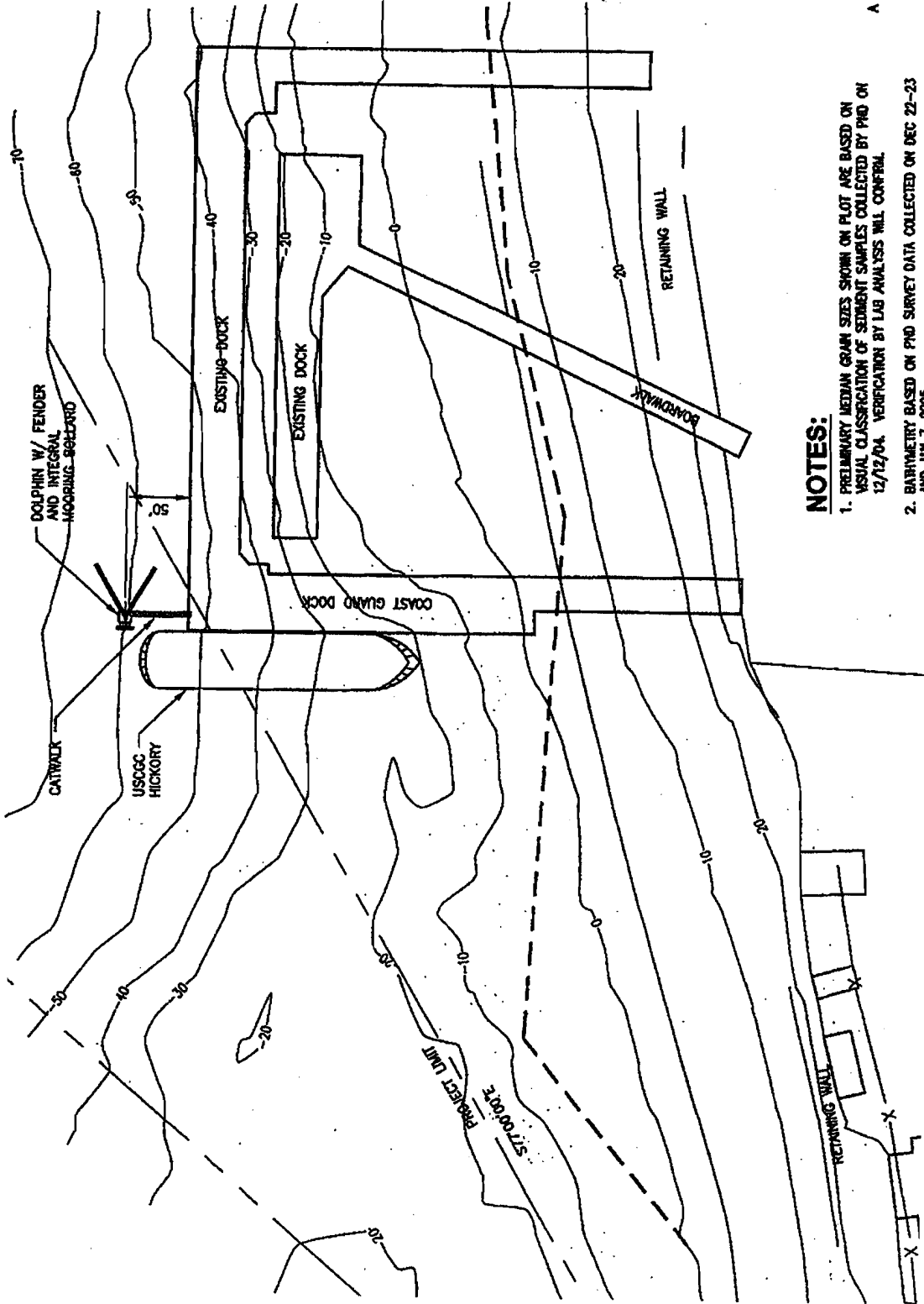
Sheet 1 of 2
March 1, 2007

Department of Homeland Security
United States Coast Guard

Proposed Dolphin Pile Structure

Located approximately 50 feet from the front face of the City of Homer's Pioneer Dock

KACHEMAK BAY



NOTES:

1. PRELIMINARY MEDIAN GRAIN SIZES SHOWN ON PLOT ARE BASED ON VISUAL CLASSIFICATION OF SEDIMENT SAMPLES COLLECTED BY PMO ON 12/12/04. VERIFICATION BY LAB ANALYSIS WILL CONFIRM.
2. BATHYMETRY BASED ON PMO SURVEY DATA COLLECTED ON DEC 22-23 AND JAN 7, 2005.
3. VERTICAL AND HORIZONTAL DATUM CONSISTENT WITH OCE SURVEY CONTROL.
4. MLLW=0'
5. 2' CONTOUR INTERVAL
6. UPLAND FEATURES FROM US OCE MAPPING

Sheet 2 of 2
March 1, 2007

POA-2002-944-1

Department of Homeland Security
United States Coast Guard

SITE PLAN
LONG TERM ALTERNATIVE A

U. S. COAST GUARD
CIVIL ENGINEERING UNIT
JUNEAU



USCG, CEU JUNEAU
709 WEST 9TH STREET, ROOM 817
JUNEAU, ALASKA 99801

ISSUE	DATE	DESCRIPTION
REV. 1	1/28/05	SURVEY
MARK		

PROJECT NO: 040007.01
C&G FILE NAME: S-3662-ST-LONG TERM-AI B.dwg
DESIGNED BY: CAG
DRAWN BY: LRG
EDITED BY: LRG
CHECKED BY: CAG

SCALE: AS INDICATED PLOT SCALE: 1:1

SHEET TITLE

HOMER WLB STUDY
USCGC HICKORY
ALASKA
MOORINGS
CIVIL

ALTERNATIVE A - SITE PLAN
LONG TERM

REVIEWED BY: REVIEWED BY: REVIEWED BY: REVIEWED BY:
AS RCD JSC
PROJECT ENG. BRANCH CHIEF TECH. DIRECTOR

KARL H. CALVO, CAPT.
APPROVING OFFICER
DATE

PROJECT NUMBER
DRAWING NUMBER

17-J04035 S-3662

DESCRIPTION/SHEET NO
S1

SHEET OF